IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

MICHAEL W. INGLE,)	
Plaintiff,)	
,))	NO CHI 11 1500 D
VS.)	NO. CIV-11-1502-D
MICHAEL J. ASTRUE, Commissioner of)	
the Social Security Administration,)	
Defendant.	,	

ORDER

Plaintiff brought this action pursuant to 42 U.S.C. §405(g), seeking the Court's review of the decision of the Commissioner of the Social Security Administration denying Plaintiff's application for disability and supplemental security income benefits. In accordance with 28 U.S.C. §636 (b)(1)(B), the matter was referred to United States Magistrate Judge Bana Roberts for initial proceedings. The parties fully briefed their respective positions and, on November 20, 2012, the Magistrate Judge filed a Report and Recommendation [Doc. No. 21] in which she recommended that the Court reverse the decision of the Commissioner and remand the matter for further administrative proceedings.

In the Report and Recommendation, the Magistrate Judge advised the parties of the right to file objections to same and directed the parties to file any objections no later than December 10, 2012. The Magistrate Judge further admonished the parties that failure to timely object would constitute a waiver of the right to appeal. The deadline for filing objections has expired, and Defendant has not filed an objection or sought an extension of time in which to do so. Accordingly, the Report and Recommendation [Doc. No. 21] is adopted as though fully set forth herein.

In accordance with the foregoing, the decision of the Commissioner denying Plaintiff's

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application for disability and supplemental security income benefits is reversed. This matter is remanded to the Commissioner for further administrative proceedings, consistent with the Report and Recommendation.

IT IS SO ORDERED this 19th day of December, 2012.

TIMOTHY D. DEGIUSTI

UNITED STATES DISTRICT JUDGE